

Appl. No. 09/911,293
Arndt, dated 22 September 2006
Reply to Office action of 21 July 2006

REMARKS/ARGUMENTS

In response to paragraph 6 of the Office action, a new first paragraph has been added to the specification. The new first paragraph refers to prior filed provisional applications from which the present application claims the benefit. This information was previously disclosed to the Patent Office as evidenced by the listing of these provisional applications in the published specification. See U.S. 2002/0069218A1. The current status of the provisional applications, all of which have now expired, is found in the new first paragraph.

In paragraph 8 of the Office action, claims 89-96 and 98-104 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Swenson et al. (U.S. Patent No. 6,064,380, issued 16 May 2000) (hereinafter "Swenson"). It is respectfully submitted that Swenson in column 4, line 65, through column 5, line 23, teaches selecting a particular location in a multi-media file for a bookmark and generating a title for the bookmark. The examiner equates the title of the bookmark with metadata.

In response to the rejection, claim 89 has been amended to recite that the multimedia bookmark has a title or image representing the bookmark. Because claim 89 specifically recites that the bookmark has a title or image representing the bookmark, the "metadata information" must be something different from a title. In addition, two of the following three pieces of information, positional information, content information, and metadata information, are used to identify a particular location, not to identify the bookmark. In view of the foregoing, it is respectfully submitted that the 35 U.S.C. § 102(b) rejection of claim 89 on the basis of Swenson be withdrawn.

With respect to claim 92, the examiner cites Swenson, column 5, lines 12-16, as "teaching storing metadata of offset information of a starting position including a rewind of automatic or selectable length." It is respectfully submitted that the concordance of a location in a master file with the same location in one or more slave files is a very different matter than providing a start position including a rewind of automatic or selectable length. The start position, including a rewind of automatic or selectable length, merely provides a different location within the same record or file. A rewind of automatic or selectable length provides no indication of where that start position is in a completely separate, slave file. Accordingly, it is believed that claim 92 is patentable, irrespective of the patentability of claim 89.

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At this time, applicants have not submitted any arguments in favor of the remaining claims dependant upon claim 89. Applicants reserve the right to submit such argument in the future should that become necessary.

Claim 93 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Swenson. In response, claim 93 has been amended to specifically exclude a title from the metadata information. Also, claim 93 has been amended to make it clear that the three pieces of information, positional information, content information, and metadata information, are for identifying a particular location. Those two changes make it clear that the bookmark has two of the three identified pieces of information which are used for search purposes, and not used for purposes of merely identifying the bookmark. In view of those changes, it is respectfully submitted that claim 93 is now in condition for allowance.

Claim 96 recites similar subject matter as claim 92. Therefore, the argument submitted in favor of the patentability of claim 92 are equally applicable to claim 96. It is applicants' position that claim 96 is independently patentable, regardless of the patentability of claim 93.

At this time, applicants have not submitted arguments in favor of the patentability of the remaining claims dependent upon claim 93. Applicants reserve the right to submit arguments in favor of the patentability of these dependant claims at a later date should that become necessary.

Claim 99 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Swenson. In response, claim 99 has been amended to make it clear that the search mechanism is responsive to the information in the multimedia bookmark for enabling access to a particular location within the multimedia file. In Swenson, the title is used to invoke the bookmark, and the positional information in the bookmark is used to locate a position within the multimedia content. The examiner has pointed to no teachings within Swenson where the title is used by a search mechanism to enable access to the location within the multimedia file. For that reason, it is respectfully requested that the rejection of claim 99 as being anticipated by Swenson be withdrawn.

Claim 104 recites similar subject matter as claim 92. Accordingly, the argument made in favor of the patentability of claim 92 is equally applicable to claim 104. It is applicants' position that claim 104 is patentable irrespective of the patentability of claim 99.

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At this time, applicants have not submitted arguments in favor of the patentability of the remaining claims dependant from claim 99. Applicants reserve the right to submit such arguments at a later date should that become necessary.

New claims 105 and 106 have been added. New claim 105 depends from claim 89 whereas new claim 106 depends from claim 93. Each of claims 105 and 106 identify the metadata information as including annotated text created by a user. No new matter has been added.

Applicants have made a diligent effort to place the instant application in condition for allowance. Accordingly, a Notice of Allowance for claims 89-106 is respectfully requested. If the examiner is of the opinion that the instant application is in condition for disposition other than through allowance, the examiner is respectfully requested to contact applicants' attorney at the telephone number listed below.

Respectfully submitted,



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